

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

RUSSELL ALLEN BLACK,

Plaintiff,

v.

CIVIL ACTION NO. 3:19-0582

SEAN K. HAMMERS;
LAUREN PLYMALE; and
CABELL COUNTY PROSECUTING
ATTORNEY OFFICE,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court dismiss the complaint (ECF No. 2) with prejudice; remove this matter from the docket of the Court; and, in light of the recommendation for dismissal, that Plaintiff's Motion for a Speedy Trial (ECF No. 5) be denied. Neither party has filed objections to the Magistrate Judge's findings and recommendations. The Court **FINDS** that Plaintiff's objection provides no argument or explanation of any error he perceived in the proposed findings and recommendation. He merely claims bias on the part of the state court judge but provides no evidence, only a bare accusation. Nothing in his objection provides any basis for this Court to reject or modify the proposed findings and recommendation's conclusions or reasoning.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DISMISSES** the complaint (ECF No. 2) with prejudice; **REMOVES** this matter from the docket of the Court; and **DENIES** Plaintiff's Motion for a Speedy Trial (ECF No. 5).

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: October 2, 2019

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE